

24 February 1976

MEMORANDUM FOR: Associate Deputy Director for Operations

SUBJECT: E. O. 11905 - DCI Implementation of Special Activities Mission

1. You recall that when we proposed, recently, an updated and annual Presidential Finding on covert action, given the constraints of Section 662 of the Foreign Assistance Act, General Scowcroft disagreed, calling instead for a report for the President on all 662-related activities of the past year. He routed the Report through the 40 Committee, thus exposing them, for the first time, to the entire range of Agency CA and other activities, authorized by the President relative to 662. This action complicates the implementation of Section 3(d)(1)(v), our "special activity" or covert action role.

25X1 2. Given [] involvement in the above, he and I met yesterday with Dick Lehman. After some discussion, we agreed that, to meet the immediate requirements in E.O. 11905 implementation with minimal paperwork, we need to revise CSI 50-20 of September 1971, which is the implementing instruction for NSDM 40. We were agreed that NSDM 40 has been superseded by EO 11905, but we also were agreed on the likelihood that the new Operations Group (OG) might want a charter, the simplest form of which could be a revised NSDM 40 in accord with E.O. 11905.

3. Lehman suggested that the DCI might send a letter to Scowcroft, assuming that 662 will not, in all likelihood, be rescinded soon; noting the continuing problem it poses; suggesting that if the OG desires to formulate a separate charter, we would be happy to develop a draft-- which, incidentally, would define normal OG interests in concert with the politically sensitive and/or particularly costly items which concerned the 40 Committee. The annual review called for in EO 11905 could then either summarize those items considered by the OG during the year or, in fact, be a comprehensive review of all of the lower level CA activities as well, as the President prefers.

4. Finally, since NSDM 40 and the new executive order both refer to special sensitive collection in which the DDO has not been involved, Lehman suggested that a DDI or DDS&T individual could do a paragraph in the draft OG terms of reference to cover that activity.

5. As for Intelligence Community Staff involvement in CA oversight, we were all agreed that ICS will have to have the CA resource totals from the Agency budget to package the new National Foreign Intelligence Program and would have to be notified of Reserve release actions.



Charles A. Briggs
Chief, Services Staff

cc: Mr. Lehman
SA/DDO

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

C/SS/DDO

EXTENSION

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NO.

DO/SS 76-200

DATE

24 Feb 76

STAT

TO: (Officer designation, room number, and building)

DATE

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OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1. Mr. Lehman
EX-1 Green Tube

Dick: Is this about the way you
heard our conversation?

Chuck

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